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STATE-WAR-NAVY COORDINATING COMMITTEE

POLICY AND PROCEDURE TO FACILITATE ENTRY INTO THE U.S.  
IN THE NATIONAL INTEREST OF GERMAN AND AUSTRIAN SCIENTISTS  
AND TECHNICIANS SPONSORED BY GOVERNMENT DEPARTMENTS OTHER  
THAN WAR AND NAVY

References: A. SWNCC 257/5  
B. SWNCC 257/11

Note by the Secretaries

The enclosed policy on the above subject, approved by the State, War and Navy Departments and concurred in by the Attorney General and the Secretary of Commerce, is circulated for information and guidance.

ALEXANDER D. REID

B. L. AUSTIN

HAROLD W. MOSELEY

Secretariat

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| DEPARTMENT OF STATE A/CDC/HR                       |                     |
| REVIEWED BY <u>3-R</u>                             | DATE <u>5/13/46</u> |
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ENCLOSURE

POLICY AND PROCEDURE TO FACILITATE ENTRY INTO THE U.S.  
IN THE NATIONAL INTEREST OF GERMAN AND AUSTRIAN SCIENTISTS  
AND TECHNICIANS SPONSORED BY GOVERNMENT DEPARTMENTS OTHER  
THAN WAR AND NAVY

1. It is the policy of this government to facilitate the entry into the U.S., under the immigration laws, of a limited number of outstanding German and Austrian scientists and technicians (hereinafter referred to as specialists) who so desire, and whose entry would be in the national interest and the entry, under the immigration laws, of members of the specialists' immediate families.

2. This policy does not affect or modify in any way the procedures under which such specialists are brought into the United States in the interest of national security, by the War or Navy Department or at their request.

3. Since the primary condition for the admission of specialists is demonstration that such admission will serve the national interest, the results of the specialists' research will, as far as possible, be made available to the public. For this reason, specialists will be employed primarily by government departments or agencies and non-profit institutions of learning or research.

4. When employment by a private business enterprise is requested, such employment will normally be required to be undertaken in cooperation with other interested enterprises, possibly by the establishment of a university fellowship or by an annual or term grant to a university. Exceptions to this principle will be made only when such arrangements are clearly not practicable. In all cases, appropriate arrangements with the employer will be required to assure that the public interest is protected, for example, assurance that any resulting patents will be freely licensed, on a non-exclusive basis, at reasonable royalties.

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5. Employers, other than government departments and agencies, of specialists will be required

a. to engage their services on the basis of suitable contracts as a means of binding and protecting the specialists.

b. to obtain the sponsorship of a government department or independent governmental agency.

6. Any government department or independent governmental agency desiring to sponsor the entry of a specialist under this policy, will forward to the Department of Commerce a certificate stating:

a. That the entry of the specialist would be in the national interest because of the benefit expected to result within a field of responsibility of the department or agency concerned. Before so certifying the sponsoring department or agency shall consult with qualified and disinterested experts or technical bodies such as, for example, the Office for Scientific Research and Development.

b. The terms and conditions of the contract or arrangement proposed to be entered into with the specialist for his employment in this country, including the financial arrangements for travel to and from appropriate cases, from the United States.

c. The type of visa desired. In the event an immigration visa is requested, the certificate shall also state whether the admission of the immediate family of the individual in question is desired.

7. In order to carry out the foregoing policy, the Department of Commerce has agreed to designate or set up an agency charged with coordinating the procedure hereunder. This agency shall establish:



a. That there is nothing in the record of the specialist, or in the record of any accompanying members of his family, to indicate that any of them were active Nazis or otherwise objectionable. The War and Navy Departments will undertake the screening of the individuals in Germany and Austria. Final clearance will be requested of the Department of Justice.

b. That the proposed terms and conditions of the contract or other arrangement for employment in this country of the specialist in question, are fair and reasonable and that the request for his admission into this country is consistent with this policy and with existing law.

c. The extent, if any, to which the interest or rights of the specialists to any inventions or discoveries made by them in the United States may be protected under the laws of this country.

8. After taking the action above set forth, the Department of Commerce will forward to the Department of State the names of the individuals whose admission into this country under this policy should be facilitated, together with all pertinent data which would be of use in determining eligibility for the type of visa desired. It may recommend priorities among the candidates for admission. The list of names and all pertinent data will be transmitted by the State Department to appropriate consular offices with whom final authority to issue the necessary visas rests. Requests for specialists in the interest of national security will be given priority over other requests.

9. The Department of Commerce will also forward the approved list to the Joint Chiefs of Staff for transmission to appropriate overseas Commanders, with instructions to arrange all necessary transportation of the individuals within Germany and, after issuance of the necessary visas, from the point of departure to the United States.

RE-ADMITTED

10. In the case of an individual admitted on a visitor's visa, if the sponsoring department or other agency desires an extension of such visa or desires that the individual be re-admitted as an immigrant, it shall certify to the Department of Commerce the facts which make such change in the national interest. In the event readmission as an immigrant is requested the certificate shall also state whether admission of the immediate family of the specialist in question is desired. The Department of Commerce will undertake to facilitate the change requested.